Practitioner's Docket No. \_\_2003-IP-020444U1

PATENT

# JUL 0 5 2005 W

### , IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application	
of	
Inventor(s)	
for	
Title of invention	
OR	
In re application of: Slabaugh, et al.	
Application No.: 10 / 723,417 Group Art Unit: 3	673
Filed: 11/25/2003 Examiner:	
For: Methods for Preparing Slurries of Coated	Particulates
P.O. Box 1450 Alexandria, VA 22313-1450  TRANSMITTAL OF INFORMATION DISCLOSE WITHIN THREE MONTHS OF FILE BEFORE MAILING OF FIRST OFFICE ACTION  CERTIFICATION UNDER 37 C.F.R. \$\$ 1.8(a)	NG OR (37 C.F.R. § 1.97(b))
(When using Express Mail, the Express Mail label number Express Mail certification is optional.)	is mandatory;
I hereby certify that, on the date shown below, this correspondence is being	<b>;</b> :
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deposited with the United States Postal Service in an envelope addressed Box 1450, Alexandria, VA 22313-1450	to Commissioner for Patents, P.O.
37 C.F.R. § 1.8(a)	.F.R. § 1.10 *
☑ with sufficient postage as first class mail. ☐ as "Express Mail Po	
	(mandatory)
TRANSMISSION	
Date: Tammy Knight	

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(type or print name of person certifying)

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action [6-3]—page 1 of 3)

NOTE: 37 C.F.R. 1.98(b):

- (1) Each U.S. patent listed in an information disclosure statement must be identified by inventor, patent number, and issue date.
- (2) Each U.S. patent application publication listed in an information disclosure statement shall be identified by applicant, patent application publication number, and publication date.
- (3) Each U.S. application listed in an information disclosure statement must be identified by the inventor, application number, and filing date.
- (4) Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or patent office which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application.
- (5) Each publication listed in an information disclosure statement must be identified by publisher, author (if any), title, relevant pages of the publication, date, and place of publication.
- WARNING: No extension of time can be had under 37 C.F.R. § 1.136 (a) or (b) for filing an IDS. 37 C.F.R. § 1.97(f).

NOTE: The "filing date of a national application" under 37 C.F.R. § 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 C.F.R. § 1.53(b) as "the date on which: (1) A specification containing a description pursuant to § 1.71 and at least one claim pursuant to § 1.75; and (2) any drawing required by § 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by § 1.41." 37 C.F.R. § 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. § 371(c) within the periods set forth in § 1.494 or § 1.495. 35 U.S.C. § 371(c) requires the filing of the following: (1) the basic national fee; (2) a copy of the international application, unless already sent by the International Bureau, and optionally an English translation if filed in another language; and, also optionally (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. The optional items must be submitted later, with surcharges. 37 C.F.R. § 1.97(b)(2).

## IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. § 1.97(b).

- NOTE: "No certification or fee is due when the filing is made within the above time period. It is advisable to ensure that no Office action has been mailed if the disclosure statement is delayed until after three months from filing."
- NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 C.F.R. 1.8, or Express Mail certificate under 37 C.F.R. 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39). See also § 609, M.P.E.P., 8th Edition.
- NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

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NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 C.F.R. 1.142) or just a requirement for additional fees to have a claim considered (37 C.F.R. 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A petition for suspension of action to allow applicant time to submit an information disclosure statement will be denied as failing to present good and sufficient reasons, since 37 C.F.R. § 1.97 provides adequate recourse for the timely submission of prior art for consideration by the examiner."

Notice of July 6, 1992 (1141 O.G. 63). But see § 103(b) and (c), limited suspension of action in a continued prosecution application (CPA) filed under § 1.53(d) and in a request for continued examination (RCE) under § 1.114.

Reg. No.: 28,626

Tel. No.: (580) 251-3125

Customer No.:

SIGNATURE OF PRACTITIONER

Robert A. Kent

(type or print name of practitioner)

P.O. Box 1431

P.O. Address

Duncan, OK 73536-0440

(Transmittal of Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action [6-3]—page 3 of 3)

PTO-1449

OTP EInformation Disclosure Citation in an

**Application** 

Application No. 10/723,417

Applicant(s)
Slabaugh, et al.

Docket Number 2003-IP-010444U1

Group Art Unit 3673

Filing Date 11/25/2003

0 5 2005

#### **U.S. PATENT DOCUMENTS**

ENIE S	DOCUMENT NO.	ISSUE/PUB. DATE	NAME	CLASS	SUBCLASS	FILING DATE
	2,238,671	04/15/41	Woodhouse	166	21	02/09/40
	2,703,316	03/01/55	Schneider	260	78.3	
	2,869,642	01/20/59	McKay et al			
-	3,047,067	07/31/62	Williams et al	166	33	09/08/58
	3,176,768	04/06/65	Brandt et al	166	33	07/27/64
	3,272,650	09/13/66	MacVittie	134	7	02/21/93
	3,316,965	05/02/67	Watanabe	166	33	
	3,375,872	04/02/68	McLaughlin et al.	166	29	12/02/65
	3,415,320	12/10/68	Young	166	33	02/09/67
	3,492,147	01/27/70	Young et al	117	62.2	
	3,659,651	05/02/72	Graham	166	280	08/17/70
·	3,754,598	08/28/73	Holloway, Jr.	166	249	11/08/71
	3,765,804	10/16/73	Brandon	417	540	01/23/67
	3,768,564	10/30/73	Knox et al.	166	307	04/26/71
	3,784,585	01/08/74	Schmitt et al.	260	861	10/21/71
	3,819,525	06/25/74	Hattenbrun	252	132	08/21/72
	3,828,854	08/13/74	Templeton et al.	166	307	10/30/73
	3,842,911	10/25/74	Know et al.	166	307	04/09/73
	3,863,709	02/04/75	Fitch	165	1	
	3,868,998	03/04/75	Lybarger et al.	166	278	05/15/74
	3,888,311	06/10/75	Cooke, Jr	166	280	10/01/76
	3,912,692	10/14/75	Casey et al	260	78.3	
	3,948,672	04/06/76	Harnberger	106	90	09/26/74
	3,955,993	05/11/76	Curtice	106	90	09/26/74
	3,960,736	06/01/76	Free et al.	252	8.55R	06/03/74
	4,008,763	02/22/77	Lowe et al	166	253	
	4,029,148	06/1977	Emery	166	250.1	
	4,042,032	08/16/77	Anderson et al	166	276	10/02/75
	4,070,865	01/31/78	McLaughlin	61	36	03/10/76

EXAMINER

DATE CONSIDERED

PTO-1449	Application No. <b>10/723,417</b>	Applicant(s) Slabaugh, et al.	
Information Disclosure Citation in an Application	Docket Number 2003-IP-010444U1	Group Art Unit 3673	Filing Date 11/25/2003

·		00/04/01	Wainer et al.	DATE CON		08/05/86
	4,675,140	08/04/87	Walker et al.	166	307	05/06/85
·	4,669,543	06/02/87	Young Sparks et al.	166 264	4.3	05/23/86
	4,665,988	05/19/87	Murphey et al.	166	295	04/04/86
	4,664,819	05/12/87	Glaze et al.	252	8.551	01/20/85
	4,649,998	03/1987	Friedman, Robert H.	166	294	0410010
	4,572,803	02/1986	Yamazoe et al	534	16	
	4,564,459	01/14/86	Underdown et al.	252	8.55 R	04/13/84
	4,553,596	11/19/85	Graham et al.	166	295	07/28/83
	4,546,012	10/08/85	Brooks	427	213	04/26/84
	4,541,489	09/17/85	Wu	166	312	03/19/84
	4,527,627	07/09/85	Graham et al.	166	280	07/28/83
	4,526,695	07/02/85	Erbstosser et al.	252	8.55R	02/04/83
	4,501,328	02/26/85	Nichols	166	288	03/14/8
	4,498,995	02/12/85	Gockel	252	8.5LC	07/01/8
	4,494,605	01/22/85	Wiechel et al.	166	288	12/11/8
	4,493,875	01/15/55	Beck et al.	428	403	12/09/8
	4,470,915	09/11/84	Conway	252	8.55R	09/27/82
	4,460,052	07/17/84	Gockel	175	72	08/10/8
	4,443,347	04/17/84	Underdown et al.	252	8.55 R	05/13/8
	4,439,489	03/27/84	Johnson et al.	428	404	02/16/82
	4,415,805	11/15/83	Fertl et al	250	260	
-	4,387,769	06/14/83	Erbstoesser et al.	166	295	
	4,353,806	10/1982	Canter et al	507	229	
	4,352,674	10/05/82	Fery	23	230	-
	4,336,842	06/29/82	Graham et al	166	276	01/05/8
	4,305,463	12/15/81	Zakiewicz	106	245	10/31/70
	4,273,187	06/16/81	Satter et al	166	250	
	4,245,702	01/20/81	Haafkens et al.	166	307	05/07/79
	4,172,066	10/23/79	Zweigle et al.	260	29.6TA	09/26/77
	4,074,760 4,169,798	10/02/79	DeMartino	252	8.55R	10/25/77

PTO-1449	Application No. 10/723,417	Applicant(s) Slabaugh, et al.	
Information Disclosure Citation in an Application	Docket Number 2003-IP-010444U1	Group Art Unit 3673	Filing Date 11/25/2003

4,694,905	09/22/87	Armbruster	166	280	05/23/86
4,715,967	12/29/87	Bellis	252	8.551	12/27/8
4,716,964	01/05/88	Erbstoesser et al.	166	284	12/10/86
4,733,729	03/29/88	Copeland	166	276	02/04/87
4,739,832	04/26/88	Jennings, Jr. et al.	166	299	12/24/86
4,785,884	11/22/88	Armbruster	166	280	01/28/98
4,787,453	11/1988	Hewgill et al.	166	272.3	
4,789,105	12/06/88	Hosokawa et al.	241	67	04/16/8
4,796,701	01/10/89	Hudson et al.	166	278	07/30/8
4,797,262	01/10/89	Dewitz	422	142	06/03/8
4,800,960	01/31/89	Friedman et al.	166	276	12/18/8
4,809,783	03/07/89	Hollenbeck et al.	166	307	01/14/88
4,817,721	04/04/89	Pober	166	295	12/14/8
4,829,100	05/09/89	Murphey et al	523	131	10/23/8
4,846,118	06/27/89	Lai et al.	524	555	06/19/8
4,848,467	07/18/89	Cantu et al.	166	281	02/16/8
4,848,470	07/18/89	Korpics	166	312	11/21/8
4,850,430	07/25/89	Copeland et al.	166	276	02/04/8
4,886,354	12/12/89	Welch et al.	356	70	05/06/88
4,888,240	12/19/89	Graham et al.	428	403	08/26/8
4,895,207	01/23/90	Friedman et al.	166	276	12/19/8
4,903,770	02/27/90	Friedman et al.	166	288	05/30/89
4,934,456	06/19/90	Moradi-Araghi	166	270	03/29/8
4,942,186	0717/90	Murphey et al.	523	131	
4,957,165	09/18/90	Cantu et al.	166	295	06/19/89
4,959,432	09/25/90	Fan et al.	526	287	07/18/88
4,961,466	10/09/90	Himes et al.	166	250	01/23/89
4,969,522	11/13/90	Whitehurst et al.	166	278	12/21/8
4,969,523	11/13/90	Martin et al.	166	278	06/12/89
4,986,353	01/22/91	Clark et al.	166	279	09/14/88
4,986,354	01/22/91	Cantu et al.	166	279	09/14/89
4,986,355	01/22/91	Casad et al.	166	295	05/18/89

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Information Disclosure Citation in an Application	Docket Number 2003-IP-010444U1	Group Art Unit 3673	Filing Date 11/25/2003

	5,030,603	07/09/91	Rumpf et al.	501	127	02/21/90
	5,049,743	09/17/91	Taylor, III et al	250	303	
	5,082,056	01/21/92	Tackett, Jr.	166	295	10/16/90
	5,107,928	04/28/92	Hilterhaus	166	293	08/22/89
	5,128,390	07/07/92	Murphey et al	523	130	01/22/91
	5,135,051	08/04/92	Fracteau et al.	166	104	06/17/
	5,142,023	08/25/92	Gruber et al.	528	354	01/24/92
	5,165,438	11/24/92	Fracteau et al.	137	1	05/26/
	5,173,527	12/22/92	Calve	524	74	05/15/92
	5,182,051	01/26/93	Bandy et al	252	645	
	5,199,491	04/06/93	Kutts et al.	166	276	09/04/91
•	5,199,492	04/06/93	Surles et al.	166	295	09/19/91
	5,211,234	05/18/93	Floyd	166	276	01/30/92
	5,216,050	06/01/93	Sinclair	524	108	
	5,232,955	08/03/93	Caabai et al.	521	63	12/16/91
-	5,232,961	08/03/93	Murphey et al.	523	414	08/19/91
	5,238,068	08/24/93	Fredickson	166	307	07/01/92
	5,247,059	09/21/93	Gruber et al.	528	354	08/24/92
-	5,249,628	10/05/93	Surjaatmadja	166	305	09/29/92
	5,256,729	10/26/93	Kutts et al.	524	700	01/22/93
	5,273,115	12/28/93	Spafford	166	281	07/13/92
	5,293,939	03/15/94	Surles et al.	166	295	07/31/92
	5,295,542	03/22/94	Cole et al.	166	278	10/05/92
	5,320,171	06/14/94	Laramay	166	285	10/09/92
_	5,321,062	06/14/94	Landrum et al.	523	141	
	5,325,923	07/05/94	Surjaatmadja et al.	166	308	09/30/93
_	5,330,005	07/19/94	Card et al.	166	280	04/05/93
	5,332,037	07/26/94	Schmidt et al.	166	276	11/16/92
	5,335,726	08/09/94	Rodrogues	166	295	10/22/93
	5,351,754	10/04/94	Hardin et al.	166	249	10/06/92
	5,358,051	10/25/94	Rodrigues	166	295	10/22/93
	5,359,026	10/25/94	Gruber	528	354	07/30/93

EXAMINER		DATE CONSIDERED

PTO-1449	Application No. 10/723,417	Applicant(s) Slabaugh, et al.	
Information Disclosure Citation in an Application	Docket Number 2003-IP-010444U1	Group Art Unit 3673	Filing Date 11/25/2003

			DATE CON	SIDERED		
	5,551,513	09/03/96	Suries et al.	166	278	05/12/95
	5,545,824	08/13/96	Stengel et al.	524	590	07/20/95
	5,536,807	07/16/96	Gruber et al.	528	354	08/23/93
	5,531,274	07/02/96	Bienvenu, Jr.	166	280	07/29/94
	5,529,123	06/25/96	Carpenter et al	166	293	
	5,512,071	04/30/96	Yam et al.	51	307	02/25/94
	5,505,787	04/09/96	Yamaguchi	134	4	01/28/94
	5,501,275	03/26/96	Card et al.	166	280	03/02/95
	5,499,678	03/19/96	Surjaatmadja et al.	166	298	08/02/94
	5,498,280	03/12/96	Fistner et al	106	19	
	5,497,830	03/12/96	Boles et al.	166	300	04/06/95
	5,494,178	02/20/96	Nguyen, et al	166	276	12/15/94
	5,494,103	02/27/96	Surjaatmadja et al.	166	222	
	5,484,881	01/16/96	Gruber et al.	528	54	08/23/93
•	5,475,080	12/15/95	Gruber et al.	528	354	03/22/93
	5,464,060	11/07/95	Hale et al.	166	293	04/1/94
	5,460,226	10/24/95	Lawton et al.	166	300	05/18/94
	5,423,381	06/13/95	Suries et al.	166	295	06/13/94
	5,422,183	06/06/95	Sinclair et al.	428	403	06/01/93
	5,439,055	08/08/95	Card et al	166	280	
•	5,423,381	06/13/95	Surles et al.	166	295	06/13/94
	5,422,183	06/06/95	Sinclair et al.	428	403	06/01/93
	5,402,846	04/04/95	Jennings, Jr. et al.	166	259	11/15/93
	5,396,957	03/14/94	Surjaatmadja et al.	166	308	03/04/94
	5,393,810	02/28/95	Harris et al	524	56	
<del> </del>	5,388,648	02/14/95	Jordan, Jr.	166	380	10/08/93
	5,386,874	02/07/95	Laramay et al.	166	300	11/08/93
	5,381,864	01/17/95	Nguyen et al	166	280	
	5,373,901	12/20/94	Norman et al.	166	300	07/27/93
	5,363,916	11/15/94	Himes et al.	166	276	06/16/93
	5,360,068 5,361,856	11/08/94	Sprunt et al. Surjaatmajda et al.	175	67	04/19/93

PTO-1449	Application No. 10/723,417	Applicant(s) Slabaugh, et al.	
Information Disclosure Citation in an Application	Docket Number 2003-IP-010444U1	Group Art Unit 3673	Filing Date 11/25/2003

EXAMINER			DATE CON	CIDEDED	
5,864,003	01/26/99	Qureshi et al.	528	141	07/23/96
5,849,590	12/15/98	Anderson, II et al	436	27	
5,849,401	12/15/98	El-Afandi et al.	428	215	05/13/96
5,837,785	11/17/98	Kinsho et al.	525	527	07/12/96
5,837,656	11/17/98	Sinclair et al.	507	220	03/05/96
5,836,392	11/17/98	Urlwin-Smith	166	295	08/05/97
5,833,361	11/10/98	Funk	366	80	09/07/9
5,830,987	11/03/98	Smith	528	332	03/11/97
5,806,593	09/15/98	Suries	166	270	07/22/9
5,791,415	08/11/98	Nguyen, et al	166	280	03/13/9
5,787,986	08/04/98	Weaver et al	166	280	10/03/9
5,783,822	07/21/98	Buchanan et al	250	259	
5,782,300	07/21/98	James et al.	166	278	11/13/9
5,775,425	07/07/98	Weaver et al	166	276	05/19/9
5,765,642	06/16/98	Surjaatmadja	166	297	1
5,732,364	03/24/98	Kalb et al	588	8	<del> </del>
5,698,322	12/16/97	Tsai et al.	428	373	12/02/9
5,697,440	12/16/97	Weaver, et al	166	281	01/04/9
5,670,473	09/23/97	Scepanski	510	445	06/06/9
5,639,806	06/17/97	Johnson et al	523	208	03/28/9
5,620,049	04/15/97	Gipson et al.	166	248	12/14/9
5,609,207	03/11/97	Dewprashad et al	166	276	
5,604,186	02/17/97	Hunt et al.	507	204	02/15/9
5,604,184	02/18/97	Ellis et al.	507	117	
5,597,784	01/28/97	Sinclair et al.	507	2129	06/06/9
5,595,245	01/21/97	Scott, III	166	250.1	1
5,594,095	01/14/97	Gruber et al.	528	354	07/27/9
5,591,700	01/07/97	Harris et al.	507	204	12/2/94
5,588,488	12/31/96	Vijn et al	166	293	08/22/9
5,582,250	12/10/96	Constein	166	280	11/09/9
5,551,514 5,582,249	10/10/96	Caveny et al	166	276	08/02/9

PTO-1449	Application No. 10/723,417	Applicant(s) Slabaugh, et al.	
Information Disclosure Citation in an Application	Docket Number 2003-IP-010444U1	Group Art Unit 3673	Filing Date 11/25/2003

EXAMII	NER			DATE CON	SIDERED	
	6,028,534	02/22/00	Ciglenec et al.	340	856.2	02/05/98
	6,028,113	02/22/00	Scepanski	514	643	09/27/95
	6,024,170	02/15/00	McCabe et al.	166	300	06/03/98
	6,016,870	01/2000	Dewprashad et al	166	295	
	6,012.524	01/11/00	Chatterji et al	166	295	04/14/98
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	6,006,835	12/28/99	Onan et al	166	295	02/17/98
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	5,960,880	10/05/99	Nguyen et al	166	280	08/27/96
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_	6,047,772	05/09/00	Rickards et al.	166	280	05/27/98
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